

COUNTY COURT: PUTNAM COUNTY
STATE OF NEW YORK

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THE PEOPLE OF THE STATE OF NEW YORK

- against -

INDICTMENT
No. 39/1996

ANDREW KRIVAK
ANTHONY DIPIPO,

Defendants.

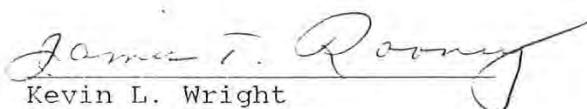
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COUNT ONE : THE GRAND JURY OF THE COUNTY OF PUTNAM, by this indictment, accuses the defendants of the crime of MURDER IN THE SECOND DEGREE, a class A-I felony, in violation of Section 125.25(3) of the Penal Law of the State of New York, committed as follows:

The defendants, in the County of Putnam and State of New York, on or about the 3rd day of October, 1994, acting as accomplices pursuant to Penal Law Section 20.00, and each acting with the mental culpability required for the commission of the offense, committed Rape in the First Degree, and, in the course of and in furtherance of such crime or of immediate flight therefrom, one or both of the defendants caused the death of a person who was not a participant in the crime, to wit, Josette Wright.

COUNT TWO: AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendants of the crime of RAPE IN THE FIRST DEGREE, a class B felony, in violation of Section 130.35(1) of the Penal Law of the State of New York, committed as follows:

The defendants, in the County of Putnam and State of New York, on or about the 3rd day of October, 1994, acting as accomplices pursuant to Penal Law Section 20.00, and each acting with the mental culpability required for the commission of the offense, being males, engaged in sexual intercourse with a female, to wit, Josette Wright, by forcible compulsion.



Kevin L. Wright
District Attorney
By:James T. Rooney
Chief Assistant District
Attorney

Dated: July 19, 1996